

Appl. No. 10/643,557
Amdt Dated: May. 25, 2005
Reply to Office Action of Feb. 25, 2005

REMARKS

Claim Rejections under 35 U.S.C. 102

Claim 16 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S.C. Patent number 3,182,087 to Root (the '087 patent).

Claim 16 recites in part: at least one of said first and second side walls is outwardly deflectable relative to the bottom wall for downward loading the storage device into the bracket.

In the '087 patent, the potentiometer housing (12) is inserted in a diagonal direction with respect to the mounting bracket (36), so that horizontally loading the potentiometer housing (12) thereinto (Col. 2, lines 40-42). Additionally, in the '087 patent, the upstanding end portions (42) and (44) have inwardly extending lips (46) protruding from the upper ends thereof respectively, which indicates the potentiometer housing (12) is not apt to be downward loaded. Therefore, the '087 patent does not teach, disclose or otherwise suggest the invention as claimed in claim 16.

The '087 patent is different from the present invention in Claim 16. And there is no clue in '087 patent for one skilled in the art to develop the present invention at the time the invention was made. The present invention in Claim 16 is patentable and should be allowable.

Accordingly, Claims 17-22 are also believed to be patentable since they depend from allowable Claim 16 directly or indirectly.

Claim Rejections under 35 U.S.C. 103

Claim 16 is rejected under 35 U.S.C. 103(a) as being anticipated by U.S.C. Patent number 6,529,373 to Liao in view of U.S.C. Patent number 3,202,291 to

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Root.

As clearly known, the instant application has a priority date of 12/13/2002 which is between the issue date of 03/04/2003 and the filing date of 04/26/2000 of Liao, so the Liao is a 102(e)/103(c) rejection reference to the instant application rather than the 103(a) rejection reference. Both the Liao reference and the instant invention were, at the time the invention of the instant application was made, owned by the same assignee, i.e., Hon Hai Precision Ind. Co., Ltd., so the Liao reference should be excluded from this 103 rejection basis (see attachment 2 provided in the previous response dated 01/17/2005). *Applicant will supplementally submit, in a few days, the translation to complete claiming of the priority date of the instant application.*

It should be understood that without the Liao reference, the remaining Root reference can no longer render obvious the invention as defined in claims. Thus, Claim 16 is deemed allowable.

Accordingly, Claims 17-22 are also believed to be patentable since they depend from allowable Claim 16 directly or indirectly.

In view of the foregoing, the subject application as claimed in the pending claim is in a condition for allowance and an action to such effect is earnestly solicited.

Respectfully submitted,
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